

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Robert J. Laethem,

Plaintiff,

Case No. 06-10213

v.

District Judge Arthur J. Tarnow

COMMISSIONER OF SOCIAL  
SECURITY,

Magistrate Judge R. Steven Whalen

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT & RECOMMENDATION [16],  
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [10], DENYING  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [11], AND REMANDING  
CASE TO THE COMMISSIONER FOR AWARD OF BENEFITS**

Before the Court is Plaintiff's Motion for Summary Judgment [10] and Defendant's Motion for Summary Judgment [11]. On January 24, 2007, Magistrate Judge Whalen issued a Report and Recommendation [16] recommending that the Plaintiff's motion be granted, Defendant's motion be denied, and the matter remanded to the Commissioner for award of benefits. No objections were filed.

Having reviewed the file, the respective Motions for Summary Judgment, and the Report and Recommendation, the Court hereby ADOPTS the Report and Recommendation [16] as the findings and conclusions of the Court. Therefore,

IT IS ORDERED that Plaintiff's Motion for Summary Judgment [10] is GRANTED.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [11] is DENIED.

This case is HEREBY REMANDED to the Commissioner for a computation and payment of benefits to the plaintiff.

06-10213

SO ORDERED.

s/Arthur J. Tarnow

Arthur J. Tarnow  
United States District Judge

Dated: February 22, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 22, 2007, by electronic and/or ordinary mail.

s/Theresa E. Taylor

Case Manager